

Chapter 132

PARKS AND RECREATION

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[HISTORY: Adopted by the Board of Supervisors of the Township of Lower Paxton 1-15-1973 by Ord. No. 73-1 (Art. 943 of the 1960 Code). Amendments noted where applicable.]

GENERAL REFERENCES

Animals — See Ch. 68.

§ 132-1. Purpose.

It is the intent, purpose and scope of this chapter to ensure the preservation of public park lands, recreation facilities and conservation areas for the residents of the township, to regulate activities within these areas consistent with the enjoyment of unspoiled natural settings or park facilities and to prevent any nuisances to the residents of the township in the use of such public park lands, recreation facilities and conservation areas or in the enjoyment of private property adjacent to such areas.

§ 132-2. Preservation of property, natural resources and wildlife.

No persons except those authorized by the township and conducting township business shall, in recreation, park or conservation areas:

- A. Injure, deface, disturb, befoul nor in any manner destroy or cause to be destroyed any part of any recreation, park or conservancy site owned by the township, nor any building, sign structure, equipment, utility or other property found therein.
- B. Remove, injure or destroy any tree, flower, shrub, plant or growing thing or any rock or other mineral.
- C. Kill, trap, hunt, pursue or in any manner deliberately disturb or cause to be disturbed any wild bird or animal within the recreation, park and conservancy sites owned by the township, except as permitted in § 132-4B.
- D. Throw, discharge or otherwise place or cause to be placed in the waters of any fountain, pond, lake or other body of water or adjacent to any park or any tributary, stream, storm sewer or drain flowing into such waters any substance, matter or thing, liquid or solid, which may result in the pollution of such waters, nor dump, deposit or leave any bottles, broken glass, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse or trash anywhere

within the park and conservancy sites owned by the township, but rather make use of proper receptacles where these are provided; and where receptacles are not so provided, all such materials shall be carried away from the park by the person or persons responsible for its presence, and properly disposed of elsewhere.

§ 132-3. Operating policies; fees.

- A. Hours of operation. Recreation, park and conservation areas shall be open daily to the public from official sunrise to official sunset, except for those facilities lighted for evening use which shall be open from official sunrise until 10:00 p.m. Eastern standard time and daylight saving time; and it shall be unlawful for any person or persons, other than township personnel conducting township business therein, to occupy or to be present in such park during any hours in which the park is not open to the public. Permits must be obtained for use after official sunset or 10:00 p.m. Eastern standard time or daylight saving time closing times for specific activities. Any section or part of the recreation, park and conservation areas may be declared closed to the public any time and for any interval of time, either temporarily or at regular or stated intervals. During such periods of time, it shall be unlawful to enter upon or occupy such areas or portions thereof contrary to posted regulations.
- B. Whenever any group, association or organization desires to use recreation or park facilities for a particular purpose, such as picnics, parties or theatrical or entertainment performances, the representative of such group, association or organization shall first obtain a permit for such use in specially designated areas from the Director of Parks and Recreation.
- C. Use of facilities. Facilities and areas in township recreation, park or conservancy sites shall be used only for the purposes designated or implicit in their character. Special activities including flying model airplanes, games, picnics, the operation of motor scooters, motorcycles, minibikes, go-carts, snowmobiles and similar vehicles shall be permitted only at locations or trails specifically designated for such use and at times established.
- D. Motor vehicles. Licensed motor vehicles shall be permitted only on designated roadways. The speed limit for such vehicles on such roadways shall be 15 miles per hour. Motor scooters, motorcycles, minibikes, go-carts and snowmobiles shall not be permitted on roadways designated for licensed vehicular traffic unless licensed for travel on the public roads of the Commonwealth of Pennsylvania. All vehicles shall be parked in areas or places so provided and designated. Parking in places contrary to posted regulation and times is prohibited, and such vehicles may be removed by the township at the owner's expense. All parking is prohibited after regular closing time. It shall be unlawful to clean, wash, repair or do any work whatsoever on private vehicles within recreation, park and conservation areas except for emergency repairs.
- E. Fees. The Township Manager shall have the authority to issue a fee schedule for permits, to set the amount of deposits and to prescribe conditions under which deposits are collected or forfeited. Such revenue shall be used for recreation, park and conservation purposes within the general fund.

§ 132-4. Prohibited acts.

- A. Fires and fireworks. Fires may not be built or allowed anywhere in recreation, park or conservation areas except in stoves, fireplaces or designated areas provided for that purpose. Permits must be secured for any fireworks at any time and for fires to be maintained after closing time.
- B. Animals. It shall be unlawful for owners of domesticated animals to permit the same within recreation, park or conservation areas without being controlled by a leash not more than six feet long. Permits may be obtained for the training and/or exhibition of animals in designated areas. It shall be unlawful to bring any dangerous animal into any recreation, park or conservation area.
- C. Gambling. Gambling is prohibited on recreation, park and conservation lands.
- D. Merchandising, advertising and signs. No person shall, in any recreation park or conservation area:
 - (1) Offer for sale any article or thing, nor station or place any stand, cart or vehicle for the transportation, sale or display of any such article or thing except under the authority of the Director of Parks and Recreation by application and permit;
 - (2) Announce, advertise or call the public attention in any way to any article or service for sale or hire; or
 - (3) Post, paste, fasten, paint, write, draw, carve, tack or affix any placard, bill, notice, sign, advertisement or any inscription whatever upon any structure, tree, stone, fence, thing or enclosure within any recreation, park or conservation area or on any public lands or highways or roads adjacent to any recreation, park or conservation area, except that the Department of Parks and Recreation may place informational signs within such areas.
- E. Aircraft. It shall be unlawful to land a private or commercial airplane or helicopter on recreation, park and conservation lands.
- F. Personal conduct. It shall be unlawful for any person in any recreation, park or conservation area to:
 - (1) Disturb the peace or use profane or obscene language.
 - (2) Endanger the safety of any person by any conduct or act.
 - (3) Commit any assault, battery or engage in fighting.
 - (4) Carry, possess or drink any alcoholic beverages, including beer, except as otherwise permitted under § 132-3B.
 - (5) Violate any rule for the use of the park made or approved by the Department of Parks and Recreation.
 - (6) Prevent any person from using any park or any facilities, or interfere with such use in compliance with this chapter and the rules applicable to such use.

- (7) Act in an unlawful, disorderly or disruptive manner or against the best interest of the areas or other people.

§ 132-5. Enforcement authority.

The Township Manager and agents designated by him, primarily the Director of Parks and Recreation, shall administer the provisions of this chapter, including the establishment and collecting of fees, preparation of application forms, issuance and revocation of permits, promulgation of rules and regulations to implement the provisions of this chapter and all other decisions relative thereto. When acts or conduct of individuals or groups is determined to be in violation of this chapter or rules and regulations promulgated by the authority of this chapter or not to be in the best interests of the recreation, park and conservancy area, or when such acts of conduct endanger other people, private or public property, or when such acts are deemed to be disruptive to the surrounding neighborhood, the Township Police, Director of Parks and Recreation or his agent assigned to such area or program shall have the authority to cause such acts to be terminated or to expel the perpetrators of such acts from the area or to call the Township Police to arrest and detain such individual or individuals or to file a complaint for the violation of this chapter with a District Justice.

§ 132-6. Violations and penalties.¹

Any person, firm or corporation who or which violates or permits a violation of this chapter, upon being found liable therefor in a civil enforcement proceeding, shall pay a fine of not more than \$600, plus all court costs, including reasonable attorney's fees, incurred by the township in the enforcement of this chapter. Where such violator has removed, destroyed, damaged, defaced or befouled the recreation, park and conservation area of the contents thereof, the cost of maintenance, repair or replacement shall be charged to such person, firm or corporation or group in addition to any fine. No judgment shall be imposed until the date of the determination of the violation by the District Justice and/or Court. If the defendant neither pays nor timely appeals the judgment, the township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day a violation exists shall constitute a separate offense. Further, the appropriate officers or agents of the township are hereby authorized to seek equitable relief, including injunction, to enforce compliance herewith. Further use of recreation and park facilities may be denied to violators of this chapter in addition to the imposition of fines or costs.

¹ Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).